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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
TRENTON VICINAGE**

JP MORGAN CHASE BANK, N.A.,	:	Civil Action No.:
	:	3:17-cv-02797-MAS-LHG
Plaintiff,	:	
	:	
v.	:	
SCOTTSDALE INSURANCE COMPANY,	:	DECLARATION OF PATRICK J.
	:	MULQUEEN, ESQ.
Defendant	:	
	:	
	:	
	:	
	:	
	:	
	:	

I, Patrick J. Mulqueen, Esq., declare under penalty of perjury that the following is true and accurate:

1. I am an attorney-at-law in the State of New Jersey, and I have been admitted to practice before the U.S. District Court for the District of New Jersey. I am an associate of the law firm of Goldberg Segalla LLP, attorneys for defendant Scottsdale Insurance Company (“Scottsdale”) in this matter. I submit this Declaration in opposition to plaintiff JP Morgan Chase Bank, N.A.’s (“Chase”) motion for summary judgment and in further support of Scottsdale’s summary judgment motion.

2. Attached hereto as **Exhibit 1** is a true copy of the third amended complaint filed by Chase on or about September 12, 2013 in the Superior Court of New Jersey, Monmouth County, Law Division in the civil action captioned JPMorgan Chase Bank, N.A. v. Hawthorne Capital Corp., et al., docket no. MON-L-4617-10 (the “Underlying Action”).

3. Attached hereto as **Exhibit 2** are true copies of letters dated May 4, 2011 from Scottsdale’s Claim Division to Rapid Abstract, LLC and Rapid Abstract Agency, LLC, as marked at the April 19, 2018 deposition of Lisa Ballestrieri as Exhibit “DL-27”.

4. Attached hereto as **Exhibit 3** is a true copy of the email colloquy dated May 6, 2011 between Lisa Palermo, Cheryl Lanier, and Brian Duncan, as marked at the April 19, 2018 deposition of Lisa Ballestrieri as Exhibit “DL-28”.

5. Attached hereto as **Exhibit 4** is a true copy of the July 17, 2013 affidavit of Chase Heitmann filed in the Underlying Action, produced during discovery in this case.

6. Attached hereto as **Exhibit 5** is a true copy of the Confidential Settlement Agreement and Release dated February 8, 2016 between Chase and IPA Risk Management, LLC (“IPA”) and Heitmann for the Underlying Action (the “IPA Settlement”).

7. Attached hereto as **Exhibit 6** is a true copy of the Stipulation of Settlement dated September 25, 2012 between Chase and New Jersey Title Insurance Company for the Underlying Action (the “NJ Title Settlement”).

8. Attached hereto as **Exhibit 7** is a true copy of the Stipulation of Settlement dated July 27, 2012 between Chase and Gateway Bank, F.S.B. for the Underlying Action (the “Gateway Settlement”).¹

¹ Chase has designated the Gateway Settlement and the NJ Title Settlement as “Confidential”, pursuant to the Court’s discovery confidentiality order in this action filed on August 8, 2017. See Docket Entry No. 7. Chase has not designated the IPA Settlement as confidential. Accordingly, the Gateway Settlement attached as Exhibit 6, and

9. Attached hereto as **Exhibit 8** is a true copy of the Declarations to Business and Management Indemnity Policy No. EKS3009392, issued by Scottsdale to Rapid and Rapid Abstract Agency, LLC, for the period September 15, 2009 to September 15, 2010.

/s/ *Patrick J. Mulqueen*

Patrick J. Mulqueen, Esq.

Dated: July 23, 2018

the NJ Title Settlement attached as Exhibit 7, to this declaration will not be filed on the Court's ECF system. However, a complete set of all exhibits to this declaration, including Exhibit 6 and Exhibit 7, will be included with the courtesy copies of Scottsdale's opposition papers sent to the Court and to counsel for Chase.